

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

Committee of the Whole 7:30 P.M.
Stated Meeting 8:00 P.M.
City Council Chambers

TIME: 8:25PM

PRESENT: PRESIDENT OF THE COUNCIL
 LIAM J. MCCLAUGHLIN

DISTRICT:

6	MAJORITY LEADER JOHN J. LARKIN
3	MINORITY LEADER MICHAEL R. SABATINO

COUNCIL MEMBERS:
DISTRICT:

1	CHRISTOPHER A. JOHNSON
2	CORAZON PINEDA
4	DENNIS E. SHEPHERD
5	MICHAEL B. BREEN

Recitation of the Pledge of Allegiance to the Flag followed by a minute of silence to invoke God's guidance and Blessing upon our deliberations.

Minutes of the stated meeting held on June 10, 2014 and special meetings held on June 10, 2014 and June 17, 2014 approved on motion of Majority Leader Larkin.

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COMMUNICATIONS FROM CITY OFFICIALS

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COMMUNICATIONS - GENERALLY

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COMMITTEE OF THE WHOLE

SPEAKERS

	<u>NAME</u>	<u>ADDRESS</u>	<u>ITEM</u>
1.	TERRY JOSHI	ROCKLAND AVE	20.C
2.	ANTHONY SCIACCA	80 MILE SQUARE ROAD	5,9,10,12
3.	RYAN HOUCK	SMITH BUSS AND JACOBS LLP	4

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LOCAL LAW NO.13-2014

1. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A LOCAL LAW AMENDING CHAPTER 58 OF THE CODE OF THE CITY OF YONKERS ENTITLED "BUILDING AND HOUSING CODE" BY AMENDING ARTICLE VIII ENTITLED "VACANT BUILDING REGISTRY"

Be it enacted by the City Council of the City of Yonkers, as follows:

Section 1. Chapter 58 of the Code of the City of Yonkers entitled "Housing and Building Maintenance Code" and is hereby amended, in part by amending Section 58-33 of Article VIII entitled "Definitions." by adding the following provisions to the section to read as follows:

ARTICLE VIII

VACANT BUILDING REGISTRY

§58 – 33. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose this law, have the meanings indicated:

COMMISSIONER – The Commissioner of Housing and Buildings.

ENFORCEMENT OFFICER – A duly authorized representative of the Department of Housing and Buildings, the Police Department, Department of Public Works and the Fire Department.

PERFORMANCE GUARANTY - a bond, letter of credit, cash escrow or other acceptable form guaranty, as determined by the Commissioner, to cover the City's potential cost of correcting code violations or abating unsafe or imminently dangerous conditions. The sufficiency of such performance guaranty shall be determined by the Commissioner after consultation with the Corporation Counsel and other officials and agencies of the City of Yonkers as appropriate.

SECURED BY OTHER THAN NORMAL MEANS- A building secured by means other than those used in the design of the building.

UNOCCUPIED - A building which is vacant or is not legally being used for an occupancy authorized by the owner.

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LOCAL LAW NO.13-2014 (CONTINUED)

UNSECURED – A building or portion of a building which is open, accessible or an attractive nuisance.

VACANT BUILDING – A building which in whole or in part is:

Unoccupied;

Unoccupied and unsecured;

Unoccupied and secured by other than normal means;

Unoccupied as determined by the appropriate City, County or State department or agency;

Unoccupied and has multiple housing or building code violations;

Illegally occupied;

Unoccupied for a period of time of 45 days, unless good cause can be shown to the Commissioner of Housing and Buildings that would warrant an extension of three months;

Unoccupied and has exterior violations.”

Section 2. Chapter 58 of the Code of the City of Yonkers entitled “Housing and Building Maintenance Code” and is hereby amended, in part by amending Sections 58-34 of Article VIII entitled “Vacant building registration.” to read as follows:

“§58 – 34. Vacant building registration.

The owner shall register with the Department of Housing and Buildings not later than 30 days after any building located in the City becomes a vacant building or not later than 30 days after being notified by the Department to register. The Enforcement Officer may identify vacant buildings through its routine inspection process as well as through notification by residents, neighborhood associations and other community groups that a building may be eligible for inclusion on the registry.

The registration shall be provided on forms provided by the Department of Housing and Buildings and shall include, among other matters, the following information supplied by the owner:

a description of the premises, address, block and lot number;

The names, addresses and phone numbers of the owners;

The name, address and phone number of any person contracted by the owner for property management;

The names, addresses and phone numbers of all known lien holders and all other parties holding an ownership interest in the property; and

A telephone number where a responsible person and owner can be reached at all times.

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LOCAL LAW NO.13-2014 (CONTINUED)

C. The owners shall submit a vacant building plan which must meet the approval of the Commissioner. The plan, at a minimum, must contain information from one of the following three choices for the property:

(1) If the building is to be demolished, a demolition plan under a Permit Application filed with the Department of Housing and Buildings indicating the proposed time frame for the building to be demolished, an affidavit executed by the owner that he will assume all costs associated with the demolition, and a Performance Guaranty.

(2) If the building is to remain vacant, a plan for the securing of the building in accordance with standards provided by the Department of Housing and Buildings. if applicable such plans must be filed along with the procedure that will be used to maintain the property in accordance with the Yonkers Building Code, and a statement of the reasons why the building will be left vacant and for what time period the building will be vacant, and a Performance Guaranty, all of which must be acceptable to the Commissioner.

(3) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan for the property and a Performance Guaranty shall be provided. The rehabilitation plan shall not exceed 365 days unless the Commissioner grants an extension upon receipt of a written statement from the owner detailing the reasons for the extension. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation or building codes and must be secured in accordance with the City Code, or of the directions of the Commissioner, during the rehabilitation or until a new Certificate of Occupancy or Certificate of Completion has been issued.

D. All applicable laws and codes shall be complied with by the owner. The owner shall notify the Department of Housing and Buildings of any changes in information supplied as part of the vacant building registration within 30 days of the change. If the plan or timetable for the vacant building is revised in any way, the revisions must be in writing and must meet the approval of the Commissioner.

The owner and subsequent owners shall keep the building secured by any means necessary and/or required to keep the building safe and secured while properly maintaining said building at all times as provided for in this Article. Failure of the owner or any subsequent owners to keep the

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LOCAL LAW NO.13-2014 (CONTINUED)

building secure and safe and/or maintain the building and premises that result in remedial action taken by the City shall be grounds for the

revocation of the approved plan and shall be subject to any applicable penalties provided by law.

The new owners shall be required to register the vacant building with the Department of Housing and Buildings within 30 days of any transfer of an ownership interest in a vacant building. The new owners shall comply with the approved plan, the Performance Guaranty, if required, and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the Commissioner.

Vacant building fees.

The owner of a vacant building shall pay an annual fee as set forth in Subsection H (2) for the period the building remains a vacant building. The fee shall be paid within thirty days after the building becomes vacant. If the fee is not paid within such time, the owner shall be subject to penalties and any additional fees that may be imposed at a trial or an administrative hearing. The fee shall be reasonably related to the administrative costs for registering and processing the vacant building owner registration form and for the costs of the City in monitoring the vacant building site.

The first annual fee shall be paid no later than 30 days after the building becomes vacant. The following fees are hereby imposed;

Property Type	Year 1	Year 2	Year 3	Each Subsequent Year
Residential	First unit \$200, each additional unit \$100	First unit \$500, each additional unit \$200	First unit \$500, each additional unit \$300	First unit \$1,000, each additional unit \$500
Commercial	\$1,000 or .10 per SF whichever is greater	\$1250 or .15 per SF whichever is greater	\$1,500 or .20 per SF whichever is greater	\$2,500 or .25 per SF whichever is greater

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If the fee is not paid within 30 days of being due, the owner shall be subject to a penalty of \$200 per month and prosecution in court or an administrative hearing. If a plan is extended beyond 365 days, subsequent annual fees shall be due on the anniversary date. Any fee not paid at this time shall be subject to payment of

an additional penalty of \$200 per month for each month the fee remains unpaid, such additional penalty coming due on the first day of each month. After six months, if the fee still remains unpaid, the penalty will increase by \$200 per month for each month the fee remains unpaid, until the penalty reaches the amount of \$4,000, at which point it will remain until the matter is resolved. If any penalty is not paid within thirty days of the due date, the owner shall be subject to prosecution in court and/or an administrative hearing. The fee shall be paid in full prior to the issuance of any building permits, with the exception of any demolition permit. The fee shall be prorated, and a refund may be issued if the building is no longer deemed vacant under the provisions of this section within 180 days of this registry. All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in any vacant building. If the fees are not paid prior to any transfer, the new owner shall pay the annual fee no later than 30 days after the transfer of ownership, and subsequent annual fees shall be due on the anniversary date of the filing of the registration form."

Section 3. Chapter 58 of the Code of the City of Yonkers entitled "Housing and Building Maintenance Code" and is hereby amended, in part by amending Sections 58-35 of Article VIII entitled "Exemptions." to read as follows:

"§58 -35. Exemptions.

A building which has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement for a period of 45 days after the fire or extreme weather event if the property owner submits a written request for exemption from the Department of Housing and Buildings. This written request shall include the following information supplied by the owner:

A description of the premises, address, lot and block;
The names, addresses and phone numbers of the owners; and

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LOCAL LAW NO.13-2014 (CONTINUED)

A statement of intent to repair and reoccupy the building in an expedient manner or the intent to demolish the building.
A Performance Guaranty.”

Section 3. Chapter 58 of the Code of the City of Yonkers entitled “Housing and Building Maintenance Code” and is hereby amended, in part by amending Sections 58-36 of Article VIII entitled “Inspections” to read as follows:

“§58 -36. Inspections and Reports.

a. The Department of Housing and Buildings, Police Department, Fire Department and Department of Public Works shall inspect any premises in the City for the purposes of enforcing and assuring compliance with the provisions of this law. Upon the request of the Enforcement Officer, an owner shall provide access to all interior portions of an unoccupied building in order to permit a complete inspection. Nothing contained herein, however, shall diminish the owner’s right to insist upon the procurement of a search warrant from a court of competent jurisdiction by the Enforcement Officer or his or her designees in order to enable such inspection and the Enforcement Officer shall be required to obtain a search warrant whenever an owner refused to permit a warrantless inspection of the premises.

b. The Building Department shall do periodic inspections of each vacant building or unit. The Building Department shall also submit a bi-annual report no later than April 15, and October 15 of each year to the Mayor and City Council listing all buildings declared vacant under the provisions of this article and the date upon which the buildings or units were declared vacant and whether a building plan has been filed. The report shall include a list of all previously declared vacant buildings which are no longer subject to the provisions of this article.”

Section 4. Chapter 58 of the Code of the City of Yonkers entitled “Housing and Building Maintenance Code” and is hereby amended, in part by amending Sections 58-37 of Article VIII entitled “Penalties” to read as follows:

“§ 58-37. Penalties

a. A violation of any section of this article shall be a Class I offense.

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LOCAL LAW NO.13-2014 (CONTINUED)

b. When the City obtains a judgment in any action against the owner, in addition to the appropriate methods of enforcement of the judgment established in the New York Civil Practice Law and Rules, such judgment for penalties shall be assessed and collected in the same manner as general City taxes.

Section 5. This Local Law shall take effect upon filing in the office of the New York Secretary of State.

THIS LOCAL LAW WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

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GENERAL ORDINANCE NO.6-2014

2. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A GENERAL ORDINANCE READOPTING THE CODIFICATION OF AN EXISTING GENERAL ORDINANCE OF THE CITY OF YONKERS RELATING TO JOHN F. KENNEDY MARINA PARK

Be it ordained by the City Council of the City of Yonkers, as follows:

Section 1. The City of Yonkers hereby readopts General Ordinance 15-2012 in its entirety.

Section 2. Participants in the Yonkers paddling and Rowing Club's Thursday summer program shall be exempt from paying for a daily permit on a Thursday from mid June through September 2014.

Section 3. This Ordinance shall take effect immediately, but shall sunset in twelve months from the effective date unless re-adopted.

A FRIENDLY AMENDMENT BY COUNCILMEMBER PINEDA SECONDED BY COUNCILMEMBER JOHNSON TO ADD A NEW SECTION 2. THIS MOTION WAS ADOPTED 7-0.

THIS GENERAL ORDINANCE WAS ADOPTED AS AMENDED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

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GENERAL ORDINANCE NO.7-2014

3. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A GENERAL ORDINANCE ADDING CHAPTER 82 TO THE YONKERS CITY CODE ENTITLED "BAMBOO"

The City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. A new Chapter 82 of the Yonkers City Code is hereby enacted as follows:

"Chapter 82

Bamboo

Section 82-1. Bamboo restrictions.

A. No owner or occupant of property or person or corporation or other entity shall plant, replant, install or re-install or cause or permit the planting, replanting, installation or re-installation of plant species upon any property, including but not limited to one family and two family residences, located within the City of Yonkers, commonly considered to be classified as "running bamboo" hereinafter defined as any tropical or semi tropical grasses with monopodial (leptomorph) rhizome (root) systems, including but not limited to the following plant genera: Arundinaria, Chimonobambusa, Phyllostachys, Pleioblastus, Psuedosasa, Sasa, Sasaella and Semiarundinaria

B. Every owner or occupant of property or person or corporation or other entity located within the City of Yonkers, shall before taking any action to plant, replant, install or re-install or cause or permit the planting, replanting, installation or re-installation of a plant species upon any property, including but not limited to one family and two family residences, commonly considered to be classified as "bamboo" or "clumping bamboo" hereinafter defined as any tropical or semi tropical grasses with monopodial (leptomorph) rhizome (root) systems or sympodial (pachymorph) grasses, including but not limited to Bambusa, Chusquea, Dendrocalamus, Drepanostachyum, Fargesia, Himalayacalamus, Otatea,

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GENERAL ORDINANCE NO.7-2014 (CONTINUED)

Thamnocalamus, Thyrostachys and Yushania, shall register with the Department of Housing and Buildings and obtain a permit for such planting. The fee for such permit shall be \$25.00.

C. Duty to confine bamboo. In the event any species commonly considered to be classified as "bamboo", or "clumping bamboo", hereinafter defined as any tropical or semitropical monopodial (leptomorph) rhizome (root) systems or sympodial (pachymorph) grasses, including but not limited to Bambusa, Chusquea, Dendrocalamus, Drepanostachyum, Fargesia, Himalayacalamus, Otatea, Thamnocalamus, Thyrostachys and Yushania, located upon any property including but not limited to one family and two family residences, within the City of Yonkers, the owner or occupant of said property shall confine such species to prevent the encroachment, spread, invasion or intrusion of same onto any other property or right-of-way. Measures to confine the bamboo, shall include but not be limited to the installation of a sheathing, impenetrable by bamboo at a sufficient depth, no less than 18 inches deep, within the property line or lines to prevent the growth or encroachment of the bamboo upon adjacent or adjoining property. Failure to do so shall be an offense.

C. Notice. The City of Yonkers shall notify the owner or occupant of the property which is in violation of Subsection A or B above. Such notice shall be served upon an owner or any other person directly or indirectly in control of the premises either personally or by registered or certified mail.

D. Violations. An owner occupant, person or corporation upon whom notice has been served, to cut, trim, remove or otherwise eliminate such bamboo and who, for a period of thirty days after the mailing of such notice, shall neglect or fail to comply with the provisions of any such notice shall be deemed to have violated this article.

E. Presumption. In the event that any species commonly considered to be classified as "bamboo" is found to have encroached, spread, invaded or intruded upon any other property, public or private, or any right of way. Said species shall be presumed to be classified as "running bamboo." This presumption shall be rebuttable.

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GENERAL ORDINANCE NO.7-2014 (CONTINUED)

F. Restrictions. Any planting of bamboo, on a property which is less than 10 feet from any public street or right-of-way or less than 5 feet from any building, shall be limited to a height of no more than 15 feet. No stalks or roots of bamboo shall interfere with any utility lines, pipes, poles, wires or other services whether above or below ground. In such event that if any stalks do create a problem, then the owner or occupant of the property will receive a notice from the Commissioner ordering him to cut, trim or remove the stalks. Failure to do so will allow the City of Yonkers to take corrective action.

Section 82-2. Penalties for Offenses.

Any violation of this section shall constitute a Class 3 offense. "

Section 2. This ordinance shall take effect immediately.

THIS GENERAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A
VOTE OF 7-0.

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GENERAL ORDINANCE NO.8-2014

4. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A GENERAL ORDINANCE AMENDING SECTION 43-74 OF THE ZONING CODE OF THE CITY OF YONKERS IN REGARD TO SPECIAL USE PERMIT REQUIREMENTS FOR CERTAIN BUSINESS, COMMERCIAL AND OFFICE USES.

The City of Yonkers, in City Council convened, does hereby ordain and enact:

Section 1. General Ordinance No.4 -2000, also known as Chapter 43 of the Code of the City of Yonkers, and more commonly known as the Zoning Code of the City of Yonkers, is hereby amended, in part, by amending Section 43-74, D (5) (j) (2) entitled "Special use permit requirements for certain business, commercial and office uses," to read as follows:

"Section 43-74. Special use permit requirements for certain business, commercial and office uses.

D. (5) (j) (2). The maximum allowable floor area of these uses shall not exceed [10%] 16% of the total building floor area shown on the approved comprehensive development plan. "

Section 2. This ordinance shall take effect immediately.

THIS GENERAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 6-0. COUNCIL PRESIDENT MCLAUGHLIN RECUSED HIMSELF.

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GENERAL ORDINANCE NO.9-2014

5. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A GENERAL ORDINANCE AMENDING GENERAL ORDINANCE NO.4-2000 ALSO KNOWN AS CHAPTER 43 OF THE CODE OF THE CITY OF YONKERS, COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF YONKERS, AND THE ACCOMPANYING ZONING MAP BY AMENDING SAID MAP TO CHANGE THE ZONE CLASSIFICATION OF BLOCK 2299, LOTS 7 AND 50; BLOCK 5485, LOT 1; BLOCK 5488, LOTS 30, 32, 34, 36, 38, AND 40 FROM ITS RESPECTIVE PRESENT "CM" ZONE DISTRICT CLASSIFICATION INTO AN "S-50" ZONE DISTRICT CLASSIFICATION.

The City of Yonkers in City Council convened does hereby ordain and enact, as follows:

Section 1. General Ordinance No. 4-2000 and the accompanying zoning map also know as Chapter 43 of the Code of the City of Yonkers and more commonly known as the Zoning Ordinance of the City of Yonkers, by changing the zone district classification of Block 2299, Lots 7 and 50; Block 5485, Lot 1; Block 5488, Lots 30, 32, 34, 36, 38, and 40 as shown and designated on the Official Tax Map of the City of Yonkers, from their respective present "CM" zone district classification to an "S-50" zone district classification as shown and designated on the Zoning Map.

Section 2. This ordinance shall take effect immediately.

THIS GENERAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

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SPECIAL ORDINANCE NO.21-2014

6. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE AUTHORIZING AN ENCROACHMENT EXTENDING APPROXIMATELY ONE FOOT INTO THE AIRSPACE RIGHT-OF-WAY AND APPROXIMATELY TWENTY SIX FEET ABOVE THE SIDEWALK IN FRONT OF 570 YONKERS AVENUE, SUBJECT TO CERTAIN TERMS AND CONDITIONS.

The City of Yonkers, in City Council convened, hereby ordained and enacts:

Section 1. Permission is hereby granted to YONKERS AVENUE PROPERTIES, LLC, as owner of 570 Yonkers Avenue, Yonkers, New York, Section 6, Block 6056, Lots 1 and 2, for an encroachment that extends into the airspace of the City right-of-way by approximately one foot over the north property line and at a height of approximately twenty six feet above the City right-of-way for the length of the building , approximately 54.67 feet in length, located for use by YONKERS AVENUE PROPERTIES, LLC, in a manner that will not impede nor obstruct vehicular or pedestrian traffic located on Yonkers Avenue in accordance with the approvals already obtained by the City Engineer and the Commissioner of the Department of Housing and Buildings. Said right of way may be seen on the sketch of YONKERS AVENUE PROPERTIES, LLC done by Thomas Haynes, AIA and annexed hereto and made a part hereof.

Section 2. This permission is granted under the following terms and conditions, to wit:

- (a) That the entire cost and expense of construction and the maintenance of said encroachment shall be paid by the owner, its successors or assigns, without expense to, or contribution by, the City of Yonkers;
- (b) That all activities undertaken in performance of this work shall be properly guarded by the said owner, his servants, agents or employees and any disturbed areas shall be restored in similar and equal condition to the present state of said street right-of-way;

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SPECIAL ORDINANCE NO.21-2014 (CONTINUED)

- (c) That neither the approval of this drawing by the City Engineer nor the existence of said encroachment after construction shall be deemed to affect the right of the City of Yonkers to provide for the construction of an encroachment in the said street right-of-way herein designated and the City of Yonkers reserves the right to assess the property benefited in like manner and with like effect as if approval had not been given by the City of Yonkers and the City of Yonkers further reserves the right to revoke this permission whenever it may deem necessary. That the granting of this permission shall in no way free or release the said owner, or its successors or assigns from the payment of any assessments on any public improvements already built or that may hereafter be built to serve the area adjoining this encroachment;
- (d) That all work is to be done in accordance with the City of Yonkers standard specifications and designs and that all other property owners as well as the applicant, shall have the right to connect with this encroachment and to use same free of charge, except the usual approvals and permits for any future addition(s) shall be obtained from the City Engineer and the scheduled fees for same paid to the City of Yonkers. The City of Yonkers shall have the right to construct or to permit future extension of this encroachment;
- (e) That the owner, or its agents, shall secure all necessary permits and consents and shall secure and maintain a property damage and public liability insurance policy naming the City as insured, or as an additional named insured in the amount and form satisfactory to the City Engineer and the Corporation Counsel of the City of Yonkers and provide the City with evidence thereof prior to construction;
- (f) That the owner, its successors or assigns shall, for whatever period this permission remains in effect, save harmless and indemnify the City of Yonkers for any and all claims, actions, suits, judgments, etc., including all costs related to the defense thereof.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

SPECIAL ORDINANCE NO.21-2014 (CONTINUED)

Section 3. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A
VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

SPECIAL ORDINANCE NO.22-2014

7. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE AUTHORIZING THE COMMISSIONER OF FINANCE TO ENTER INTO AGREEMENTS REMOVING CERTAIN TAX LIENS FROM THE 2014 TAX LIEN SALE, AND ESTABLISHING A PAYMENT SCHEDULE TO PERMIT TAXPAYERS TO PAY TAX ARREARS IN INSTALLMENTS.

The City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. The Commissioner of Finance is hereby authorized to enter into the annexed agreements removing liens affecting the following listed tax parcels from the City's 2014 Tax Lien Sale, and establishing a payment schedule to allow taxpayers to pay tax arrears in installments due thereon:

Section 1	Block 250	Lots 105/110 (209 Rockland Avenue)
Section 1	Block 511	Lot 1 (64 Hudson Street)
Section 1	Block 511	Lot 40 (62 Hudson Street)
Section 2	Block 2161	Lot 18 (93 Waring Place)
Section 2	Block 2183	Lot 58 (161 Saw Mill River Road)
Section 2	Block 2331	Lot 53 (188 Stone Avenue)
Section 4	Block 4605	Lot 111 (1 Courtside Terrace)
Section 4	Block 4605	Lot 112 (5 Courtside Terrace)
Section 4	Block 4605	Lot 113 (9 Courtside Terrace)
Section 5	Block 5272	Lot 119 (77 Georgia Avenue)
Section 6	Block 6011	Lot 35 (118 Devoe Avenue)
Section 6	Block 6251	Lot 38 (58 New Avenue)

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

SPECIAL ORDINANCE NO.22-2014 (CONTINUED)

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A
VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

SPECIAL ORDINANCE NO.23-2014

8. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE AUTHORIZING ACCEPTANCE OF A "FY2013 ASSISTANCE TO FIREFIGHTERS" GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE DEPARTMENT OF HOMELAND SECURITY AND EXECUTION OF THE GRANT AGREEMENT

The City of Yonkers hereby ordains and enacts:

Section 1: The Federal Emergency Management Agency ("FEMA") and the Department of Homeland Security ("DHA") have approved a \$503,000 grant from the "FY 2013 Assistance to Firefighters" program to the City of Yonkers Fire Department, noting that the federal share is 90% (\$452,700) and the City of Yonkers' share is 10% (\$50,300), for the purpose of protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards.

Section 2: The Mayor of the City of Yonkers, or his designee, is hereby authorized to execute such grant agreement, for a term of May 21, 2014 to May 20, 2015, in order to provide such funds to the Fire Department of the City of Yonkers, with matching funds as described herein.

Section 3: The City's Grant Budget for fiscal year 2013/2014 is hereby amended by increasing revenues and appropriations for the Fire Department, as follows:

Increase Estimated Revenues

Award EMW -2013-FO-06061	\$503,000
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Increase Estimated Expenses

Project EMW-2013- FO-06061	Expense 0198 for \$330,000
Project EMW-2013-FO-06061	Expense 0250 for \$173,000.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

SPECIAL ORDINANCE NO.23-2014 (CONTINUED)

Section 4: This Special Ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL
AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A
VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

SPECIAL ORDINANCE NO.24-2014

9. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A SPECIAL ORDINANCE DISCONTINUING FALCON ROAD AS A PUBLIC STREET PURSUANT TO SECTION 29 OF THE GENERAL CITY LAW.

The City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. Falcon Road, a public street in the City of Yonkers, as shown on the Official City Map and description filed with the Planning Board of the City of Yonkers, is hereby discontinued as a public street and removed from the Official Map of the City of Yonkers, in its entirety pursuant to Section 29 of the General City Law subject to the following condition:

(a) in the event that there are any utilities underneath Falcon Road, the City of Yonkers retains complete access to the aforementioned utilities.

Section 2. The affected City departments, bureaus and agencies shall amend the necessary City records, including the Official City Map accordingly.

Section 3. This Special Ordinance shall take effect as provided by law.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.75-2014

10. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A RESOLUTION TO ISSUE A DETERMINATION OF SIGNIFICANCE PURSUANT 6 NYCRR Part 617 the statewide implementing regulations pertaining TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") RELATING TO THE PROPOSED USE OF PROPERTY, LOCATED AT BLOCK 2299, LOTS 7 AND 50; BLOCK 5485, LOT 1; BLOCK 5488, LOTS 30, 32, 34, 36, 38, AND 40.

WHEREAS, there is pending before the City Council, the proposed zone change from a "CM" to an "S-50" Zone, to the properties more particularly described as Block 2299, Lots 7 and 50; Block 5485, Lot 1; Block 5488, Lots 30, 32, 34, 36, 38, and 40 on the Zoning Map of the City of Yonkers; and

WHEREAS, the proposed zone change has been reviewed as an Unlisted Action under the State Environmental Quality Review Act ("SEQRA") requiring the City Council to comply with the Regulations promulgated pursuant to SEQRA; and

WHEREAS, the City Council has carefully considered the proposed action and has reviewed the attached Environmental Assessment Form and supplemental attachments and the criteria set forth in Section 617.7 of 6 NYCRR Part 617 of the SEQRA regulations and has identified and carefully considered the relevant areas of environmental concern as are fully set forth in said Environmental Assessment Form to determine if these proposed actions will have a significant impact upon the environment; and

NOW, THEREFORE, BE IT RESOLVED, by the Yonkers City Council that based upon the City Council's review of the Environmental Assessment Form and supplemental attachments, and for the reasons set forth therein, the City Council hereby adopts a Negative Declaration, under SEQRA, that there will be no adverse impact on the environment from the zone change to the properties more particularly described as Block 2299, Lots 7 and 50; Block 5485, Lot 1; Block 5488, Lots 30, 32, 34, 36, 38, and 40 on the Zoning Map of the City of Yonkers and that an Environmental Impact Statement is not required.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.75-2014 (CONTINUED)

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.76-2014

11. BY MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

A RESOLUTION TO ISSUE A DETERMINATION OF SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") RELATING TO THE AMENDMENT OF SECTION 43-74 OF THE ZONING CODE REGARDING SPECIAL USE PERMITS AND PLANNED EXECUTIVE PARKS

WHEREAS, there is pending before the City Council, an ordinance amending Section 43-74 , D (5) (j) (2) of the Zoning Code of the City of Yonkers regarding the requirements for Special Use Permits for Planned Executive Parks; and

WHEREAS, the City Council has determined that the proposed encroachment has been reviewed as an Unlisted Action under the State Environmental Quality Review Act ("SEQRA") requiring the City Council to comply with the Regulations promulgated pursuant to SEQRA, and

WHEREAS, the City Council has carefully considered the proposed action and has reviewed the attached Environmental Assessment Form and supplemental attachments and the criteria set forth in Section 617.7 of 6 NYCRR Part 617 of the SEQRA regulations and has identified and carefully considered the relevant areas of environmental concern as are fully set forth in said Environmental Assessment Form to determine if these proposed actions will have a significant impact upon the environment.

NOW, THEREFORE, BE IT RESOLVED, by the Yonkers City Council that, based upon the City Council's review of the Environmental Assessment Form and supplemental attachments, and for the reasons set forth therein, the City Council hereby adopts a Negative Declaration, under SEQRA, that there will be no adverse impact on the environment by the amendment of Section 43-74 D (5) (j) (2) of the Zoning Code of the City of Yonkers.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.76-2014 (CONTINUED)

AND BE IT FURTHER RESOLVED, that this Resolution take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 6-0. COUNCIL PRESIDENT MCLAUGHLIN RECUSED HIMSELF.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

RESOLUTION NO.77-2014

12. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

A RESOLUTION TO ISSUE A DETERMINATION OF SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") RELATING TO DISCONTINUING A PORTION OF FALCON ROAD AS A PUBLIC STREET PURSUANT TO SECTION 29 OF THE GENERAL CITY LAW.

WHEREAS, there is pending before the City Council, a special ordinance discontinuing Falcon Road as a public street pursuant to Section 29 of the General City Law; and

WHEREAS, the proposed action has been reviewed by the City Council as an Unlisted Action under the State Environmental Quality Review Act ("SEQRA") requiring the City Council to comply with the Regulations promulgated pursuant to SEQRA; and

WHEREAS, the City Council has carefully considered the proposed action and has reviewed the attached Environmental Assessment Form and supplemental attachments and the criteria set forth in Section 617.7 of 6 NYCRR Part 617 of the SEQRA regulations and has identified and carefully considered the relevant areas of environmental concern as are fully set forth in said Environmental Assessment Form to determine if these proposed actions will have a significant impact upon the environment; and

NOW, THEREFORE, BE IT RESOLVED, by the Yonkers City Council that based upon the City Council's review of the Environmental Assessment Form and supplemental attachments, and for the reasons set forth therein, the City Council hereby adopts a Negative Declaration, under SEQRA, that there will be no adverse impact on the environment from the discontinuance of Falcon Road as a public street pursuant to Section 29 of the General City Law; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.77-2014 (CONTINUED)

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.78-2014

13. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

STATE ENVIRONMENTAL QUALITY REVIEW ACT
(SEQRA) RESOLUTION OF THE CITY OF YONKERS, IN
THE COUNTY OF WESTCHESTER, NEW YORK,
RELATED TO COLLECTIVE BARGAINING ACTIVITIES

WHEREAS, the City of Yonkers, in the County of Westchester, New York (herein called the "City") has determined to undertake a review of a proposed amendment to the collective bargaining agreement between the City of Yonkers and the Captains Lieutenants and Sergeants Association of the City of Yonkers; and

WHEREAS, the City Council of the City has reviewed the potential environmental impacts associated with said Project.

NOW, THEREFORE, BE IT RESOLVED, that, the City Council of the City of Yonkers, in the County of Westchester, New York, hereby determines as follows:

Section 1. The City Council of the City declares itself lead agency, determines, the proposed Project is a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R., Regulations Part 617.5 (C) (22), as "collective bargaining activities" and no further action is required.

Section 2. This Resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.79-2014

14. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

WHEREAS, the City of Yonkers and the Captains, Lieutenants and Sergeants Association of the City of Yonkers, have recently agreed to changes in the collective bargaining agreement that expired on June 30, 2009; and

WHEREAS, the City of Yonkers and the Captains, Lieutenants and Sergeants Association of the City of Yonkers wish to continue the Agreement, as modified, for the period beginning July 1, 2009 through and inclusive of June 30, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the collective bargaining agreement in effect between the City of Yonkers and the Captains, Lieutenants and Sergeants Association of the City of Yonkers, that expired on June 30, 2009, shall be continued for the period of July 1, 2009 through and including June 30, 2019, except as modified by the terms of the attached Stipulation of Agreement and related documents, which is hereby approved.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.80-2014

15. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

RESOLVED, by the City Council of the City of Yonkers, in meeting assembled:

That the settlement by the Corporation Counsel in the amount of Twenty Thousand Dollars (\$20,000.00) of the action entitled, "Sonia Gomez, plaintiff against THE CITY OF YONKERS, et al., defendant"; court index number 13 Civ. 2196 (VB); for violations of civil rights allegedly sustained by plaintiff in the course of arrest by City of Yonkers police officers on April 26, 2011; be and the same hereby is approved and the Comptroller of the City of Yonkers is directed to draw his warrant in the amount of Twenty Thousand Dollars (\$20,000.00) in favor of said plaintiff and her attorney, Rose M. Weber, Esq., payable to: "Rose M. Weber, attorney for Sonia Gomez".

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.81-2014

16. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

WHEREAS, the City of Yonkers ("City") will shortly commence In Rem foreclosure proceedings against property owners who are delinquent in the payment of real property taxes; and

WHEREAS, one of the properties on the proposed list of delinquent taxes is property located at 64 Ravine Avenue, as further identified as Section 2, Block 2115, Lot 8, being 0.11 acres in size (the "subject property"); and

WHEREAS, the property owner has requested the opportunity, pursuant to §19-56 of the Charter of the City of Yonkers, to provide a Deed in Lieu of Foreclosure to the City to settle the impending litigation; and

WHEREAS, it is in the best interest of the City of Yonkers to settle this matter, and to accept a Deed in Lieu of Foreclosure to the above-referred property.

NOW, THEREFORE BE IT RESOLVED, that the Corporation Counsel is hereby authorized to settle this matter by the acceptance of a Deed in Lieu of Foreclosure to the subject property from the property owner; and be it

FURTHER RESOLVED, that the Corporation Counsel, be and the same is hereby authorized to remove the subject property from the In Rem list of delinquent taxes, to execute, if necessary, a Settlement Agreement, a Stipulation of Discontinuance and/or any other document on behalf of the City of Yonkers necessary to conclude this matter; and be it

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.81-2014 (CONTINUED)

FURTHER RESOLVED, that this Resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.82-2014

17. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

WHEREAS, the City of Yonkers ("City") will shortly commence In Rem foreclosure proceedings against property owners who are delinquent in the payment of real property taxes; and

WHEREAS, one of the properties on the proposed list of delinquent taxes is property located at 74 Ravine Avenue, as further identified as Section 2, Block 2115, Lot 14, being 0.05 acres in size (the "subject property"); and

WHEREAS, the property owner has requested the opportunity, pursuant to §19-56 of the Charter of the City of Yonkers, to provide a Deed in Lieu of Foreclosure to the City to settle the impending litigation; and

WHEREAS, it is in the best interest of the City of Yonkers to settle this matter, and to accept a Deed in Lieu of Foreclosure to the above-referred property.

NOW, THEREFORE BE IT RESOLVED, that the Corporation Counsel is hereby authorized to settle this matter by the acceptance of a Deed in Lieu of Foreclosure to the subject property from the property owner; and be it

FURTHER RESOLVED, that the Corporation Counsel, be and the same is hereby authorized to remove the subject property from the In Rem list of delinquent taxes, to execute, if necessary, a Settlement Agreement, a Stipulation of Discontinuance and/or any other document on behalf of the City of Yonkers necessary to conclude this matter; and be it

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.82-2014 (CONTINUED)

FURTHER RESOLVED, that this Resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.83-2014

18. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

WHEREAS, the City of Yonkers ("City") will shortly commence In Rem foreclosure proceedings against property owners who are delinquent in the payment of real property taxes; and

WHEREAS, one of the properties on the proposed list of delinquent taxes is property located at 1125 Yonkers Avenue, as further identified as Section 6, Block 6320, lot 36, being 0.06 acres in size (the "subject property"); and

WHEREAS, the property owner has requested the opportunity, pursuant to §19-56 of the Charter of the City of Yonkers, to provide a Deed in Lieu of Foreclosure to the City to settle the impending litigation; and

WHEREAS, it is in the best interest of the City of Yonkers to settle this matter, and to accept a Deed in Lieu of Foreclosure to the above-referred property.

NOW, THEREFORE BE IT RESOLVED, that the Corporation Counsel is hereby authorized to settle this matter by the acceptance of a Deed in Lieu of Foreclosure to the subject property from the property owner; and be it

FURTHER RESOLVED, that the Corporation Counsel, be and the same is hereby authorized to remove the subject property from the In Rem list of delinquent taxes, to execute, if necessary, a Settlement Agreement, a Stipulation of Discontinuance and/or any other document on behalf of the City of Yonkers necessary to conclude this matter; and be it

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.83-2014 (CONTINUED)

FURTHER RESOLVED, that this Resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.84-2014

19. BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

BE IT RESOLVED, that the City of Yonkers/Location code: 20059, hereby establishes the following as standard work days for elected and appointed officials as detailed in the report attached hereto and made a part hereof and will report the following days worked to the New York State Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.85-2014

20. BY MINORITY LEADER SABATINO, COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN:

WHEREAS, the Yonkers City Council established the Human Rights Commission pursuant to Resolution #622 of 1963, and amended under Resolution #713 of 1966, #116 of 1969, and #131 of 1982; and

WHEREAS, the mission of the Commission is to foster mutual respect and understanding among all racial, religious, and ethnic groups in the community, and to recognize all forms of discrimination based on sex or age; and

WHEREAS, the Commission may undertake such studies in any field of Human Relations within the community as in the judgment of the Commission, which will aid in effectuating improved relationships among all diversified groups; and

WHEREAS, the Commission may inquire into incidents of tension and conflict among or between various racial, religious, and nationality groups, and to take such actions as may be designed to alleviate such tensions and conflict; and

WHEREAS, the Commission may conduct and recommend such educational programs as, in the judgment of the commission will increase goodwill among inhabitants of the community and open new opportunities into all phases of community life for all inhabitants; and

WHEREAS, traditionally, the Commission has organized under the following committees: Screening Committee, Housing Committee; Employment Committee; Education Committee, Legislative Committee and the Events Committee; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, JUNE 24, 2014

RESOLUTION NO.85-2014 (CONTINUED)

WHEREAS, the members of the Commission are selected by the City Council for a term of three consecutive years, except for the first appointments to the Board, of whom four members shall serve for three years, four members shall serve for two years, and three members shall serve for one year. Members shall serve without compensation. All members shall continue to hold office until their successors have been appointed and qualified; and

BE IT HEREBY RESOLVED that the City Council of Yonkers hereby appoints the following residents of Yonkers to serve on the Human Rights Commission:

Mr. PAUL MEISSNER, Ms. THERESA BOWMAN SMITH, Mr. MATTHEW OREFICE, Ms. KHADIJEH KHORSANDI shall be re-appointed for a three year term starting May 28 2014 and ending on May 28, 2017; and

Mr. ROBERT ESQUEDA (175 Webster Avenue · Yonkers, NY) who is filling a open slot, shall be appointed for a three year term starting May 28, 2014 and ending on May 28, 2017; and

The remaining commissioners terms expiring on May 28th 2015 are; Ms. ANGELA RAMSEY, Mr. HAROLD DWORETSKY.

Terms expiring on May 28th 2016 are; Mr. ALVIN JOHNSON, Ms. CONSTANCE WALKER-FOLWER, Ms. BARBARA KARSTEN, Mr. MANUEL D. FERNANDES, JR., DOMINIC A. MORELLI

ALSO RESOLVED that Manuel Fernandes is hereby designated as Chair and Angela Ramsey as Vice Chair of the Commission; and

FINALLY RESOLVED, that the City Clerk is directed to forward a copy of this legislation to Mayor Michael Spano.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, FEBRUARY 25, 2014

LOCAL LAW NO.14-2014

- 20.A BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

A LOCAL LAW AMENDING THE CODE OF THE CITY OF YONKERS BY ADDING A NEW CHAPTER 83 TO READ AS "CARNIVALS, CIRCUSES AND FAIRS."

The City of Yonkers, in City Council convened, does hereby enact:

Section 1.The Code of the City of Yonkers is hereby amended, in part, by adding a new Chapter 83, entitled "Carnivals, circuses and fairs" to read as follows:

"CHAPTER 83

§83 -1. Legislative intent.

It is the intent of the City Council to regulate amusement events such as carnivals, circuses and fairs, so as to preserve the public peace and good order and to assure the health, safety and welfare of the residents of the City of Yonkers surrounding the conduct of such amusement activities.

§83-2. Definitions.

Unless otherwise indicated, for the purposes of this Chapter, the following terms shall have the meaning indicated;

AMUSEMENT COMPANY – A person or business entity who for profit, supplies, provides and or lease amusement rides, pavilions, tents, games, stalls, and/or other structures or equipment commonly used for an amusement event, and is retained by an applicant to organize, operate and/or manage the event.

AMUSEMENT EVENTS - Carnivals, circuses, fairs and entertainment generally characterized by the presence of one or all of the following amusement rides, games of probability, and tents or pavilions used in conjunction with such activities.

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AMUSEMENT RIDE – A manually operated or mechanically powered machine or apparatus or device which is used solely for amusement, and which is designed to propel, project or move a person through the air, along the ground or otherwise, and shall include but not be limited to a merry go round and/or carousel, a Ferris wheel, gravity steeplechase, scenic railway, parachute jump and other similar machinery customarily associated with amusements, circuses, carnivals and fairs.

CARNIVAL – An event at which various shows, exhibitions or contests take place.

CIRCUS – An exhibition or show in which nondomestic animals take part.

COMMISSIONER – Commissioner of the Department of Housing and Buildings.

FAIR – An event at which goods are displayed for sale. The word “fair” shall be deemed to include the word “bazaar.”

PERMIT – Due authorization in writing as provided herein which permits a person to operate a carnival, circus, fair or amusement event at a specified location.

§83-3. Permit required; restrictions.

A. It shall be unlawful to erect, operate and/or maintain an amusement ride(s), carnival, circus, fair or amusement event without first having secured a permit therefore from the Department of Housing and Buildings.

B. A permit may be issued for a term not to exceed seven (7) days within a two week period and every permit so issued shall specify the exact term and period of time for which it shall be valid.

C. No more than two (2) permits shall be issued per person or organization for each calendar year.

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D. No more than two (2) amusement events shall be permitted at the same location per calendar year.

E. A permit issued as provided herein shall not be transferable. Any holder of such permit who allows it to be used by any other person or business entity and any person or business entity who uses such permit shall each be guilty of a violation of this chapter.

F. In the event, City services not mentioned in this Chapter are required, the person or entity must make a request to the department that offers that service.

§83-4. Location of amusement rides restricted.

A. No more than one (1) amusement ride per one-twelfth (1/12) of an acre shall be permitted, and no more than fifteen (15) amusement rides shall be operated, maintained and/or erected per fair, carnival, circus or amusement event.

B. Each amusement ride shall be located at least ten (10) feet from the entranceway to the premises where the amusement event is being held, and shall be placed so that it does not obstruct or interfere with free and unfettered passage by patrons or users of the premises.

C. Each amusement ride shall have an unobstructed distance of four (4) feet for the length of front space of each ride where the patrons may watch or wait to use the ride. The Commissioner shall have the discretion to set the distance between each amusement ride depending upon the space available for the rides and the topography of the land as well as to prevent overcrowding and to assure the safety of the general public.

D. An amusement ride shall not be used or operated while any person is so located as to be endangered by it. Areas in which persons may be so endangered shall be fenced, barricaded or otherwise guarded against public intrusion.

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E. Notwithstanding the foregoing, in the discretion of the Commissioner, a permit may be refused or the number of permitted rides reduced if an applicant, based upon a review of the site plan and upon the recommendation of the inspection, lacks sufficient open space when the amusement rides are in motion to effectuate the legislative intent of this chapter.

§83-5. Approval required for carnivals, circuses and amusement events in residential districts.

A. No permit shall be issued for the operation or maintenance of any carnival, circus, fair or amusement event upon land lying in a residence zoning district unless the principal use thereon is nonresidential and a permitted conforming use in the zoning district. A permit may be issued for the operation or maintenance of any carnival, circus, fair or amusement event in any commercial, business or industrial district subject to the restrictions of the Code of the City of Yonkers.

B. No permit shall be issued if, in the judgment of the Commissioner, the event will disturb the public peace and good order of the City of Yonkers or unreasonably affect the use and enjoyment of adjoining properties or jeopardize the health, safety or welfare of neighboring residents and/or the community.

§83-6. Enforcement.

Unless otherwise indicated, the provisions of this Chapter may be enforced by the Department of Housing and Buildings, the Police Department and the Fire Department.

§83-7. Conditions of approval.

In any case requiring approval of the Commissioner, such approval may be granted subject to such conditions as the Commissioner may deem necessary. Any permit issued after approval of the Commissioner has been obtained shall bear on its face such conditions as the Commissioner may have imposed.

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§83 – 8. Restrictions and hours of operation.

A. No sound equipment or public-address system shall be operated or used after 11:00 p.m. on the days for which the permit is issued.

B. No amusement ride and/or related equipment shall be operated on Sunday through Thursday after 11:00 p.m., and on Friday and Saturday after 12:00 midnight.

C. Amusement events shall cease to operate and be closed to the public no later than 11:00 p.m. on Sunday through Thursday, and on Friday and Saturday by 12:00 midnight.

D. In the event Sunday falls on the eve of a national holiday, the prohibitions in Subsections A, B and C shall apply as of 12:00 midnight Sunday.

§83 - 9. Application for permits: requirements.

An application for a carnival, circus, fair or amusement event shall be fully completed and signed by the person, organization and/or business entity seeking a permit. The application shall be submitted no more than forty-five (45) days and not less than fifteen (15) days prior to the time of the commencement of such carnival, circus, fair or amusement event, or, at least sixty (60) days prior to such commencement where such event involves audience capacity or attendees in excess of five hundred (500) persons and such event is held on City property or a City street. The application shall include and/or be accompanied by the following:

A. Written proof that all necessary permits and/or approvals that may be required by the Westchester Department of Health, the New York State Department of Labor and any other governmental or regulatory agency having jurisdiction has been obtained. The Commissioner shall forward all such applications to the Westchester County Department of Health, and any other regulatory body or office requesting same for review.

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B. The applicant shall specify whether the number of attendees is expected to reach five hundred (500) or more. In the event the number of attendees is expected to reach fifteen hundred (1500) or more, same shall also be indicated on the application.

C. The name, address and phone number of the applicant and of the amusement company, if one is being utilized. In the event an amusement company is being utilized, then a full and true copy of the contract and/or agreement entered into between the applicant and the amusement company. No portion of the financial aspects of the agreement filed with the City of Yonkers shall be released to third parties in accordance with the provisions of Public Officers Law § 87(2)(d).

D. A notarized statement signed by the property owner of the premises upon which the proposed event is to be held stating the nature, extent and duration of the amusement event and granting permission to the operation of the amusement event on such premises.

E. A original and one (1) copy of an accurate site plan drawn to scale, or other site plan drawn to the satisfaction of the Commissioner, showing the location, dimensions and specifications of all stationary and/or temporary structures or enclosures, amusement rides, games of probability, tents and pavilions. The site plan shall include the dimensions of all amusement rides when in motion, the area to be occupied by the proposed amusement rides and the net amount of open space available when all amusement rides are in operation. All site plans shall set forth the dimensions of the parcel to be utilized for the event and the number of acres it comprises.

F. In the event the carnival, circus, fair or amusement event is being held on public property or lands, a performance bond issued by a bonding company or surety company approved by the Corporation Counsel, or cash or certified check, in the sum of five hundred dollars (\$500.), so as to guarantee that the applicant will clean the area and substantially restore the same at the conclusion of the carnival, circus, fair or amusement event. If the applicant fails to clean and restore the amusement area, or if damage is done to public or private property as a result of said amusement event, the Commissioner may apply the bond, cash or check to the cost of the cleanup or restoration and may recover from the owner of the premises where the amusement event took place

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and the applicant such additional costs as may be incurred. No such bond is needed for a carnival, circus, fair or amusement event held on private property or lands

G. A certificate of insurance issued by an insurance company licensed to do business within the State of New York naming the City of Yonkers as an additional named insured. The policy must be of an occurrence format and have the following minimum coverage:

- (1) Bodily injury: one million dollars (\$1,000,000.) per person.
- (2) Bodily injury: two million dollars (\$2,000,000.) per accident.
- (3) Property damage: one million dollars (\$1,000,000.) per accident.

§83 -10. Application fee.

In addition to the requirements of § 83-9 and Chapter 27 of the City Code entitled "Amusements", a nonrefundable fee of five hundred dollars (\$500.) shall be payable to the Commissioner upon the filing of an application. An application fee will not be charged if the applicant is a religious, charitable, fraternal, patriotic, public-service or volunteer fire organization. In the event a religious, charitable, fraternal, patriotic, public-service or volunteer fire organization engages the services of an amusement company to operate and/or manage the carnival, circus, fair or amusement event, no waiver of the fee shall be applicable and no application will be accepted or filed until an application fee of five hundred dollars (\$500.) by cash, money order or bank check is paid by the amusement company to the Commissioner.

§83 -11. Additional requirements.

Any charitable organization, as defined and regulated by Article 7-A of the New York State Executive Law, filing an application to conduct an amusement event, in addition to satisfying the requirements of § 83-9 herein, shall include with each application proof of such organization's valid registration with the New York Secretary of State as a charitable organization.

§83 -12. Display of permit.

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All permits must be conspicuously displayed during the operation of said amusement event and be available for inspection by any person demanding such inspection.

§83 – 13. Restrictions and suspensions.

Any violation of this chapter or of any other ordinance, law or statute in connection with the operation or maintenance of carnivals, circuses, fairs or amusement events, or any violation of the conditions of the permit or a false statement made in the application, shall be cause for immediate denial or suspension of the permit by the Commissioner. Notice of such denial or suspension and the reason or reasons for such determination shall be mailed by the Commissioner by certified mail, return receipt requested, to the applicant at the address shown on the application. A copy of such notice of denial or suspension shall be filed in the Department of Housing and Buildings. The applicant shall have ten (10) days from receipt thereof to submit a written request to the Commissioner for an appeal hearing before the Commissioner or a duly

appointed hearing officer as set forth in § 83 -14(E). At such time the applicant may provide the Commissioner with any relevant information in response to that set forth in the Commissioner's notice of denial or suspension.

§83 - 14. Appeal hearing.

A. The Commissioner or a duly appointed hearing officer as set forth in § 83 -14(E) shall hear and determine all such appeals after a hearing.

B. All requests for an appeal hearing from a denial or suspension of a permit and/or license shall be in writing and shall be filed with the Commissioner accompanied by the sum of two hundred fifty dollars (\$250.) to cover the cost of the hearing and of processing the appeal. Notice of the appeal hearing shall be mailed to the applicant not more than five (5) days of the hearing date. An appeal hearing shall be scheduled not more than fifteen (15) days of the date of receipt of a request for an appeal.

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C. Conduct of hearings. At the hearing the applicant shall be entitled to be represented by legal counsel and provided with an opportunity to be heard. The applicant may present such competent and material testimony or other evidence in his own behalf as may be relevant to the subject matter of the hearing. All witnesses shall be sworn and examined under oath and all hearings shall be recorded.

D. No permit shall be issued, and any outstanding permit may be suspended or revoked after a hearing, if the Commissioner or hearing officer determines that such amusement event includes an activity which, in the judgment of the Commissioner or hearing officer, will disturb the public peace and good order of the City of Yonkers or adversely affect the use and enjoyment of adjoining properties in adjoining use districts or that the conduct of the function will not be consistent with or will jeopardize the health, safety or welfare of the residents of the City of Yonkers.

E. The Commissioner, shall notify the applicant of the determination by registered mail, return receipt requested, within three (3) business days after such determination has been made.. The decision of shall be on file with the Department of Housing and Buildings and shall be final, subject to review by a court of competent jurisdiction.

§83 - 15. Inspection; change in site plan.

A. Notwithstanding the issuance of a permit in accordance with the provisions of this chapter, no carnival, circus, fair or amusement event shall commence operation or open to the public unless it has first obtained from the Fire Department of the City of Yonkers a certificate affirming that all tents, buildings and structures are in a nonhazardous and reasonable fireproof condition. Such certificate must be filed by the applicant with the Department of Housing and Buildings prior to the time and date of commencement of operations as set forth in the permit. In addition, all tents, buildings, pavilions and other structures must be in compliance with the New York State Uniform Building and Fire Code.

B. All tents, rides, buildings, structures, pavilions and electrical wiring equipment shall be in place and operational for purposes of inspection by City officials no later than 12:00 noon of the last business day immediately prior to the scheduled opening of said carnival, circus, fair or amusement event. In the event changes to the site plan have been

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made between the time of application and the date of inspection by City officials, for which the Commissioner has not been notified or provided with an amended site plan incorporating the changes, a penalty of two hundred fifty dollars (\$250.) shall be immediately due and payable by the amusement company, or, if an amusement company has not been retained, the applicant. No inspection shall be complete and a permit shall not be issued until such penalty is paid and an amended site plan is filed with the Department of Housing and Buildings.

C. No person is permitted to effectuate a change in the location, number and size of any tent, amusement ride, building, structure, pavilion or electrical wiring equipment after an inspection by City officials has taken place without the prior written consent of the Commissioner. All such requests for changes shall be submitted in an amended application with a new site plan incorporating the proposed changes.

§83 - 16. Assembly, dismantling and/or removal of equipment.

Amusement rides, equipment and structures used for the carnival, circus, fair or amusement event shall not be assembled, dismantled and/or removed after 11:00 p.m. All amusement rides, equipment, tents, pavilions and other structures erected or used for the amusement event shall be dismantled and removed from the premises where the event took place within three (3) days of the expiration of the permit.

§83 -17. Violations and penalties.

Any person or business entity, including the owner of the land and /or the amusement company, who is convicted of any prohibited act under this article shall be guilty of a Class I offense.

§83 -18. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person,

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individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.”

Section 2. Chapter 27 of the Code of the City of Yonkers entitled “Amusements” is hereby amended, in part, by repealing §27-26 entitled “Location of Devices.”

Section 3. This local law shall take effect immediately.

THIS LOCAL LAW WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

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SPECIAL ORDINANCE NO.25-2014

20.B BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

A SPECIAL ORDINANCE AUTHORIZING THE COMMISSIONER OF FINANCE TO ASSIGN TAX LIEN #141267 AFFECTING SECTION 2, BLOCK 2420 LOT 56 (213 LAKE AVE., YONKERS, NEW YORK)

The City of Yonkers, in City Council convened, hereby ordains and enacts:

Section 1. The Commissioner of Finance is hereby authorized pursuant to§19-4 of the City Charter to execute, on behalf of the City, and deliver an assignment of Tax Lien # 141267 to R.J. Rose Realty, LLC, 500 Nepperhan Ave., Yonkers, New York 10703 (or its designee) upon the receipt of the sum of TWO HUNDRED EIGHTY FOUR THOUSAND ONE HUNDRED SIXTY TWO AND 05/100 (\$ 284,162.05) representing the amount of said lien, tax arrears and interest accrued affecting property known as Section 2, Block 2420 , Lot 56 (213 Lake Ave., Yonkers, New York) on the Official Tax Map of the City of Yonkers, plus any additional interest accrued until date of assignment.

Section 2. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

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RESOLUTION NO.86-2014

20.C BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

RESOLUTION OF THE COUNCIL OF THE CITY OF YONKERS
REPEALING RESOLUTION NO.86-2007

WHEREAS, Resolution NO. 86-2007 resolved that the members of the Yonkers City Council agree to form a "Green Policy Task Force" that will find and assess a wide range of different pro-environment policies to eventually be implemented by the City of Yonkers; and

WHEREAS, seven years later, the Green Policy Task Force members are in agreement that the City of Yonkers would be well-served by a transition from a Council-based environmental advisory board to an Administration-based one under the direction of Mayor Mike Spano and Director of Sustainability Brad Tito; and

WHEREAS, accordingly, the Green Policy Task Force members have requested that the Council take the necessary legal steps to dissolve the Green Policy Task Force so that it may be reorganized under the aegis of the city administration as a Mayoral advisory committee;

NOW, THEREFORE, BE IT RESOLVED, that any remaining monies in the green policy task force be transferred to the parks department for the purchase of battery powered leaf blowers.

NOW, THEREFORE, BE IT RESOLVED, that effective immediately, Resolution NO. 86-2007 is REPEALED; and

BE IT FURTHER RESOLVED, that a copy of this resolution, suitably engrossed, be transmitted to the members of the Green Policy Task Force.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AS AMENDED AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

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RESOLUTION NO.87-2014

20. D BY COUNCILMEMBER SHEPHERD, COUNCIL PRESIDENT
MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER
SABATINO, COUNCILMEMBERS JOHNSON, PINEDA AND BREEN;

WHEREAS, the owner of the property located at 988 McLean Avenue, more properly known as Block 6224, Lot 29-30 on the Tax Assessment Map of the City of Yonkers has submitted an application for a Site Plan Review and a Special Use Permit for the operation of a Private Social Club and Community Center known as the Aisling Irish Community Center to the Planning Board which was approved by the Planning Board in accordance with Article VII and Article IX of the Zoning Code of the City of Yonkers; and

WHEREAS, upon review of the application and the record, this City Council believes it to be in the best interest of the City of Yonkers to grant said application; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Yonkers, in meeting assembled, that the proposed Site Plan and Special Use Permit should be granted; and be it further

RESOLVED, that upon the record and findings of the Planning Board, with respect to the application submitted the property owner, for a Site Plan Review and a Special Use Permit for the operation of a Private Social Club and Community Center known as the Aisling Irish Community Center at Block 6224, Lot 29-30 on the Tax Assessment Map of the City of Yonkers, on the property known as 988 McLean Avenue, Yonkers, New York, pursuant to Article VII and Article IX of the Zoning Code of the City of Yonkers, the decision and actions of the Planning Board of the City of Yonkers are hereby approved, and this approval is subject to the conditions set forth in the decision of the Planning Board; and be it further

RESOLVED, that all of the conclusions, findings and conditions of the June 11, 2014, Planning Board resolution are hereby referenced to and made a part hereof; and be it further

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RESOLVED, that this Resolution shall take effect immediately.

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OF 7-0.

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RESOLUTION NO.88-2014

20.E BY COUNCIL PRESIDENT MCLAUGHLIN, MAJORITY LEADER LARKIN, MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON, PINEDA, SHEPHERD AND BREEN;

BE IT RESOLVED, that the following applicant(s) are hereby appointed and/or reappointed to the office of Commissioner of Deeds for a period of two years to expire on July 31, 2016

Sharon Hegarty
717 Kimball Avenue
Yonkers, New York 10704

Clerk

RENEWAL

Peter Commisso
50 Raybrook Road
Yonkers, New York 10704

Excavation Contractor

RENEWAL

Irene Laboy
117 LaSalle Drive
Yonkers, New York 10710

Accounting/Retired

RENEWAL

Kisha DeVonne Skipper
145 Ridge Avenue
Yonkers, New York 10703

Legislative Aide

NEW

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AS AMENDED AT A STATED MEETING HELD ON TUESDAY, JUNE 24, 2014 BY A VOTE OF 7-0.

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RESOLUTION 89-2014

20. F BY MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON & PINEDA;

WHEREAS, in Southwest Yonkers there is a high concentration of businesses and private residences; and

WHEREAS, the commercial activity in Southwest Yonkers results in insufficient parking availability for the neighborhood, particularly for the community surrounding the Father Pat Carroll Green Homes and along the Ashburton Avenue corridor; and

WHEREAS, the parking issue discourages potential tenants and forces current tenants to move, resulting in significant financial hardship to the surrounding landlords; and

WHEREAS, there has been significant residential growth in the area without an adequate and appropriate increase in the availability of parking spaces for residents; and

WHEREAS, in an effort to improve the quality of life in the residential community in Southwest Yonkers, the City Council with the Yonkers Police Department and Traffic Engineering Department recommend the enactment of a Residential Parking Permit system for the neighborhood, similar to Parking Permit systems already established in the communities surrounding the Tibbetts Brook Park, Garrett Park, and Yonkers Raceway/Empire City Neighborhoods.

NOW, THEREFORE BE IT RESOLVED THAT, the City Council of Yonkers calls upon the City's Planning Department to develop a residential parking system to alleviate the parking problems of the residents in the aforementioned communities; and

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RESOLUTION 89-2014(CONTINUED)

BE IT FURTHER RESOLVED THAT, once a plan for the parking system is created, the City shall seek a home rule seeking permission from New York State to create and implement the parking system.

THE ABOVE LEGISLATION WAS ADOPTED BY THE CITY COUNCIL AT A JUNE 10, 2014 STATED COUNCIL MEETING BY A 7-0 VOTE.

THE MAYOR VETOED THIS LEGISLATION ON JUNE 18, 2014.

MOTION BY COUNCILMEMBER JOHNSON SECONDED BY COUNCILMEMBER PINEDA TO OVERRIDE THE MAYORS VETO.

THIS MOTION WAS DEFEATED BY A ROLL CALL VOTE OF 4-3. MINORITY LEADER SABATINO, COUNCILMEMBERS JOHNSON & PINEDA VOTING "YEA".

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COMMITTEE REPORTS

THIS MEETING WAS ADJOURNED AT 9:30PM